

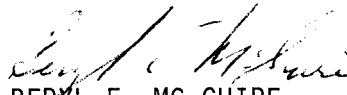
UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK


IN THE MATTER OF
INTEREST ON JUDGMENTS

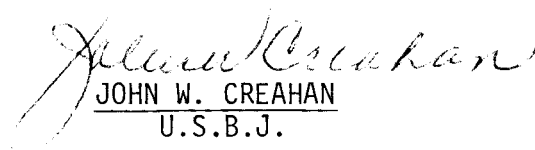
GENERAL ORDER

TO ALL PLAINTIFFS AND DEFENDANTS:

Interest on judgments entered in the United States Bankruptcy Court for the Western District of New York shall be based on the rate applicable in the Federal District Court, pursuant to Title 28, U.S.C. § 1961.

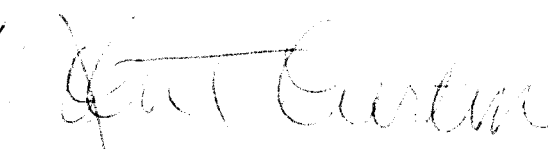

BERYL E. MC GUIRE
U.S.B.J.


EDWARD D. HAYES
U.S.B.J.


JOHN W. CREAHAN
U.S.B.J.

Dated: 1/3/84

APPROVED:


JOHN T. CURTIN
U.S.D.J.
Chief Judge

CLERK'S OFFICE
UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL J. KAPLAN
CLERK

January 3, 1984

PLEASE REPLY TO:

☒ 312 U.S. COURTHOUSE
68 COURT STREET
BUFFALO, NY 14202

☐ 212 NEW FEDERAL BLDG.
100 STATE STREET
ROCHESTER, NY 14614

Honorable John T. Curtin
Chief Judge
United States District Court
624 U.S. Courthouse
Buffalo, New York 14202

Re: Attached

Dear Judge Curtin:

Certain memos from the A.O. suggest that it was Congressional inadvertence that resulted in 28 U.S.C. § 1961's silence on the matter of the rate of post-judgment interest on Bankruptcy Court judgments.

Since the new Bankruptcy Rules went into effect on August 1, 1983, litigants entitled to default judgments may apply to me for it in some instances, just like they may apply to John Adams in your Court. As a result, some are applying to me in a form that demands a specification of the rate of post-judgment interest. I have no statutory guidance on the matter, and in such instances also have no order of the Court specifying the rate.

Hence, I asked my Judges for the attached, and they thought that, inasmuch as this is substantive, not procedural, it should probably receive your approval under the Marathon Local Rule.

If it is acceptable to you, could you please sign and return.

Thank you.

Very truly yours,

Michael J. Kaplan,
Clerk

~~RECEIVED~~
Enc.


UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

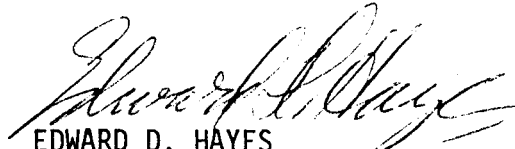
IN THE MATTER OF
INTEREST ON JUDGMENTS

GENERAL ORDER

TO ALL PLAINTIFFS AND DEFENDANTS:

Interest on judgments entered in the United States Bankruptcy Court for the Western District of New York shall be based on the rate applicable in the Federal District Court, pursuant to Title 28, U.S.C. § 1961.


BERYL E. MC GUIRE
U.S.B.J.


EDWARD D. HAYES
U.S.B.J.


JOHN W. CREAMAN
U.S.B.J.

Dated: 1/3/74

APPROVED:

JOHN T. CURTIN
U.S.D.J.
Chief Judge